

[Exhibit 4]

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

COMPASS MARKETING, INC. *

Appellants, *

v. * No. 23-1324

FLYWHEEL DIGITAL LLC, et al. *

Appellees. *

* * * * *

**APPELLANT'S MOTION TO EXTEND
BRIEFING SCHEDULE BY FORTY-FIVE DAYS**

Pursuant to Local Rules 27 and 31(c), Appellant, Compass Marketing, Inc., hereby moves for an extension of the briefing schedule by forty-five days, and in support, state as follows:

1. On or around March 28, 2023, the United States Court of Appeals for the Fourth Circuit entered an Order with the following briefing schedule:

- a. Opening Brief: May 8, 2023
- b. Joint Appendix: May 8, 2023
- c. Response Brief: June 7, 2023
- d. Reply Brief (if any): Within 21 days of service of the Response

2. Lead counsel on this appeal, Stephen B. Stern, is currently scheduled to begin a two-week jury trial on May 8, 2023, in the case styled *Argo Systems, LLC*

v. Richard China, et al., in the Circuit Court of Maryland for Anne Arundel County, Case No. C-02-CV-21-000148.

3. Due to the extensive preparation needed for this trial, as well as pre-planned travel by undersigned counsel scheduled thereafter, extraordinary circumstances exist to extend the briefing schedule by 45 days as follows:

- a. Opening Brief: June 23, 2023
- b. Joint Appendix: June 23, 2023
- c. Response Brief: July 24, 2023
- d. Reply Brief (if any): Within 21 days of service of the Response

4. Pursuant to L. Rule 27(a), counsel for the other parties whose appearance was entered in the United States District Court for the District of Maryland action (no attorneys have entered their appearances on behalf of Appellees as of the date of this filing) have been informed of the intended filing of the motion. As of the date of this filing, Appellees have not advised whether they consent to the granting of the motion.

5. The Court should find that extraordinary circumstances exist to grant this request for an extension.

WHEREFORE, Appellants request this Honorable Court grant its Motion for Extension of the Briefing Schedule by 45 days and grant such further relief as the Court deems necessary and proper.

Respectfully submitted,

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Stephen B. Stern (D. Md. Bar No. 25335)

/s/ Michael J. Marinello
Michael J. Marinello (D. Md. Bar No. 18490)

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*Counsel for Appellant,
Compass Marketing, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of April, 2023, a copy of the foregoing Consent Motion to Extend Briefing Scheduling was served using the CM/ECF filing system on all counsel entitled to service, and by first-class mail, on the following:

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